

COHELAN KHOURY & SINGER

Isam C. Khoury (SBN 58759)

ikhoury@ckslaw.com

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Marta Manus (SBN 260132)

mmanus@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Telephone: (619) 595-3001/Facsimile: (619) 595-3000

STONEBROOK LAW

Joseph Tojarieh (SBN 265492)

jft@stonebrooklaw.com

10250 Constellation Boulevard, Suite 100

Los Angeles, CA 90067

Telephone: (310) 553-5533/Facsimile: (310) 553-5536

Attorneys for Plaintiffs Angelyna Celio, Matthew Lytle, Robert Martin, and Donell Fort on behalf of themselves and all others similarly situated

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ALAMEDA

ANGELYNA CELIO, MATTHEW
LYTLE, ROBERT MARTIN, and DONELL
FORT, on behalf of themselves and others
similarly situated

Plaintiffs,

v.

AIR INTERNATIONAL US, INC., a
Delaware Corporation; and DOES 1
Through 10, inclusive,

Defendants.

Case No. RG21098764

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Rebekah Evenson
Department 24

CLASS AND REPRESENTATIVE ACTION

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR FINAL APPROVAL OF
CLASS AND PAGA ACTION SETTLEMENT**

Hearing Set by February 2, 2024 Court Notice

Date: April 11, 2024

Time: 9:00 a.m.

Dept: 24

Judge: Hon. Rebekah Evenson

Complaint filed: May 10, 2021

Trial Date: Not Set

PLEASE TAKE NOTICE that on April 11, 2024 at 9:00 a.m. or as soon as the matter may be heard in Department 24 of the Alameda County Superior Court located in the County Administration Building at 1221 Oak Street, Oakland, California 94612, the Honorable Rebekah Evenson presiding, Plaintiffs Angelyna Celio, Matthew Lytle and Robert Martin (“Plaintiffs”) will move this Court for an Order Granting Final Approval of Class and PAGA Action Settlement as set forth in the Class Action and PAGA Representative Action Settlement Agreement and Release of Claims filed as Exhibit 1 to the Declaration of Isam C. Khoury on March 7, 2023, the Addendum to Class Action and PAGA Representative Action Settlement and Release of Claims filed as Exhibit 2 to the Declaration of Isam C. Khoury on March 7, 2023, and the Second Addendum to Class Action and PAGA Representative Action Settlement Agreement and Release of Claims filed as Exhibit 1 to the Supplemental Declaration of Isam C. Khoury on October 12, 2023 (collectively, “Agreement”). Plaintiffs moves this Court to:

1. Finally adjudicate the Settlement is fair, reasonable, and adequate;
2. Direct distribution of Individual Settlement Payments by the Settlement Administrator to all Settlement Class Members and Aggrieved Employees in accordance with the Agreement;
3. Approve and direct payment to Class Counsel for their attorneys’ fees in the sum of \$200,000.00 and reimbursement of their litigation costs of \$15,760.00;
4. Approve and direct the Class Representative Service Award of \$7,500.00 to Plaintiff Angelyna Celio;
5. Approve and direct the Class Representative Service Award of \$7,500.00 to Plaintiff Matthew Lytle;
6. Approve and direct the Class Representative Service Award of \$7,500.00 to Plaintiff Robert Martin;
7. Approve and direct the Class Representative Service Award of \$7,500.00 to Plaintiff Donnell Fort;
8. Approve and direct the payment to CPT Group, Inc., the appointed Settlement Administrator, of \$15,000.00 for its fees and costs in administering the Settlement;

1 9. Approve the PAGA Payment to California's Labor and Workforce Development
2 Agency of \$18,750.00 (75% of \$25,000.00); and,

3 10. Direct the Clerk of the Court to enter final judgment, and without affecting the
4 finality of the final judgment, to reserve the Court's continuing jurisdiction over the Parties for
5 the purposes of implementing, enforcing, effectuating, or administering the terms of the
6 Settlement Agreement.

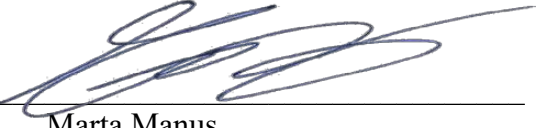
7 This motion is made on the grounds that the proposed Settlement, preliminarily
8 approved by this Court on October 19, 2023, is the product of arms'-length, good-faith
9 negotiations, is fair and reasonable to the Class, and should be finally approved, as more fully
10 discussed in the accompanying Memorandum in Support of Final Approval.

11 This motion is based on this Notice of Motion, the Memorandum of Points and
12 Authorities in Support, Declarations of Class Counsel Isam Khoury and Joseph Tojarieh,
13 Declarations of Plaintiffs Angelyna Celio, Matthew Lytle, Robert Martin, and Donell Fort filed
14 with this Court on March 7, 2023, Declaration of Kaylie O'Connor on behalf of CPT Group,
15 Inc., the Agreement, Notice of Class Action Settlement, Order Granting Preliminary Approval
16 of Class Action Settlement issued October 19, 2023, the [Proposed] Order Granting Final
17 Approval of Class and PAGA Action Settlement, the [Proposed] Judgment, the Court's files in
18 this matter, including but not limited to, the Motion for Preliminary Approval of Class Action
19 Settlement and supplemental briefing, and any other documents or evidence the Court may
20 consider at the hearing.

21 Respectfully submitted,

22 **COHELAN KHOURY & SINGER**
23 **STONEBROOK LAW**

24
25 Dated: March 15, 2024

26 By: 
27 Marta Manus
28 Attorneys for Plaintiffs Angelyna Celio, Matthew
Lytle, Robert Martin, and Donell Fort, on behalf
of themselves and all others similarly situated